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10/084,473	02/28/2002	Mitsutoshi Abe	381NP/50961	7826

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EXAMINER

JONES, JUDSON

ART UNIT PAPER NUMBER

2834

DATE MAILED: 12/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/084,473	<b>Applicant(s)</b> ABE ET AL.	
	<b>Examiner</b> Judson H Jones	<b>Art Unit</b> 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 18-23 and 30-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 24-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

Applicant's arguments regarding the restriction requirement filed 11/07/2003 have been fully considered but they are not persuasive. Applicant argues that the statement of the examiner "does not set forth a "materially" different process sufficient to satisfy the statutory requirement ...". However, the restriction requirement was made on the basis that the process can be used to make a materially different product. See the two sentences below.

"In the instant case the process can be used to make a materially different process. The process of degreasing, treating with phosphoric acid, cleaning, plating a metal layer, coating the layer with a chromate film, coating with a phosphoric acid anodic film and an organic resin coating can be used to a corrosion resistant metal to be used for something other than electric equipment."

The first sentence should read, "In the instant case the process can be used to make a materially different (product)." The second sentence should read, "... can be used to (make) a corrosion resistant metal ..."

In claim 1 Applicant is claiming an outer surface of an electric equipment for mounting on vehicles. That product is quite specific, and it is different from the outer surface of a transmission housing, for example. The argument made by the examiner is that the process of degreasing, treating with phosphoric acid, cleaning, plating a metal layer, coating the layer with a chromate film, coating the chromate film covered layer with a phosphoric acid anodic film and coating the chromate film and phosphoric acid anodic film covered layer with an organic resin coating can be used to make a corrosion resistant product usable for a transmission housing.

The Second College Edition American Heritage Dictionary copyright 1982 defines materially as "to a significant extent or degree; importantly." The examiner believes that the requirement of a materially different product has been satisfied.

In regard to the argument that "mere separate status in the art is not a basis, in and of itself, to require restriction." The MPEP section 803 states, "If search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." In the present case, the examiner is experienced in examining product claims. Process claims have completely different standards for patentability. Therefore examining process claims in this case would be a serious burden on the examiner.

#### *Specification*

The abstract of the disclosure is objected to because it is not a single paragraph. Correction is required. See MPEP § 608.01(b).

#### *Claim Objections*

Claims 7 and 8 are objected to because of the following informalities: Claim 7 recites degreasing, an acid treatment and a cleaning treatment. However, degreasing is a cleaning treatment and so is dipping an element in acid. The claim would be clear if applicant referred to degreasing, an acid treatment and an additional cleaning treatment. There is no antecedent basis for an alkali zinc plated layer in claims 7 and 8. Claim 1 only recites a metal plated layer. Claim 1 refers to a chromate film while claim 8 refers to "said chromate treatment." If said chromate treatment refers to the chromate film, then the same words should be used in claims 1 and 8 in order to avoid confusion. There is no antecedent basis for said phosphoric acid treatment in claim

8. Phosphoric acid treatment appears in claim 7, but claim 8 does not depend from claim 7.

Appropriate correction is required.

Claim 10 is objected to because of the following informalities: There is no antecedent basis for paint in the organic coating. It also is not clear from the claim language if the organic coating is the paint or if paint has been applied to the organic coating. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 8, 13 and 15 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. These claims recite process of making limitations because they refer to sequential steps to be performed in making the product. According to MPEP 2173.05(p), "A single claim which claims both an apparatus and the method steps of using the apparatus is indefinite under 35 U.S.C. 112, second paragraph." While claims 7, 8, 13 and 15 include method of manufacturing steps instead of method of using steps, the same reasoning applies.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 7, 8, 13 and 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to neither a process or a

machine, but rather overlap two different statutory classes of invention as set forth in 35 U.S.C.

101. See the MPEP 2173.05(p)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 5, 6, 9, 11, 12, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. 5,846,660 A in view of Ueta et al. 5,179,864 A. Sasaki et al. discloses a surface of a steel plate coated with a zinc or zinc-based alloy, a chromate treated layer (i.e., a film) and a resin film (i.e., a organic resin coating) for the purpose of corrosion resistance as described in column 1 lines 5-17 but does not disclose using the steel plate for electric equipment mounted on vehicles. Ueta et al. teaches in column 1 lines 6-11 that starters can be contaminated with water, dust and brine with rust being the result. While Ueta is mostly concerned with protecting the inner parts of the stator, it would have been obvious at the time the

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invention was made to one of ordinary skill in the art that the housing of a starter also needs protection from corrosion. Since Ueta et al. and Sasaki et al. both address the problem of preventing corrosion, it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized the steel plate of Sasaki et al. as a housing for a starter in order to provide corrosion protection for the housing and to thus extend the life of the starter.

In regard to claim 5, see Sasaki et al. column 1 lines 5-10.

In regard to claim 6, see Sasaki et al. column 3 lines 20 ½ to 28 ½.

In regard to claim 9, see Sasaki et al. column 3 lines 14-16.

In regard to claim 11, see Ueta et al. figure 2 where the front bracket is labeled 3, the yoke is labeled 1, the back bracket is to the left of the yoke and the rotor is inside the yoke.

In regard to claim 12, see element 14 in Ueta et al. figure 2 which shows a conventional solenoid for a starter. As is well known in the art, convention starter solenoids have a plunger, a cylindrical magnetic field device and a magnetic core.

Claims 2, 4 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Ueta et al. and Sonntag et al. 6,652,728 B1. Sasaki et al. as modified by Ueta et al. discloses the electrical equipment with the coated outer surface but does not disclose an alkali zinc plated layer. Sasaki et al. mentions electroplating zinc in column 10 lines 26 ½ to 30 ½ but does not specify alkali zinc. Sonntag et al. teaches that alkaline zinc electroplating is the conventional method is column 4 lines 40-48. Since Sonntag et al. and Sasaki et al. as modified by Ueta et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized a conventional alkaline

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zinc electroplating method because Sasaki et al. as modified by Ueta et al. does not specify what type of electroplating process is to be used.

In regard to claim 28, see Sasaki et al. column 3 lines 14-16.

Claims 3, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Ueta et al. and Araga et al. 6,607,844 B1. Sasaki et al. discloses a surface of a steel plate coated with a zinc or zinc-based alloy, a chromate treated layer (i.e., a film) and a resin film (i.e., a organic resin coating) for the purpose of corrosion resistance as described in column 1 lines 5-17 but does not disclose using the steel plate for electric equipment mounted on vehicles. Ueta et al. teaches in column 1 lines 6-11 that starters can be contaminated with water, dust and brine with rust being the result. While Ueta is mostly concerned with protecting the inner parts of the stator, it would have been obvious at the time the invention was made to one of ordinary skill in the art that the housing of a starter also needs protection from corrosion. Since Ueta et al. and Sasaki et al. both address the problem of preventing corrosion, it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized the steel plate of Sasaki et al. as a housing for a starter in order to provide corrosion protection for the housing and to thus extend the life of the starter. Sasaki et al. as modified by Ueta et al. discloses an outer surface sequentially coated with a metal plated layer, chromate film and organic resin while the claim specifies phosphate film instead of chromate film. Araga et al. teaches the equivalency of chromate films and phosphate films in column 13 lines 38-50. Since Araga et al. and Sasaki as modified by Ueta et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized a phosphate film in place of a chromate film in order to improve qualities such as paint



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adhesion, physical flaw resistance and formability as taught by Araga et al. column 13 lines 51-63.

In regard to claim 24, see Sasaki column 1 lines 5-10.

In regard to claim 25, see Sasaki et al. column 4 lines 2-11. Sasaki et al. suggests using a ionomer resin and mentions one example as being a co-polymer of ethylene and an unsaturated carboxylic acid. This is believed to meet Applicant's limitation of an organic resin made from polyethylene resin. Also see Araga et al. column 5 lines 57-62 where acrylic, polyester, epoxy and polyurethane resins are suggested for use.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. as modified by Ueta et al. as applied to claim 1 above, and further in view of Nomura et al. 5,049,245 A and Eisner 3,619,383 A. Sasaki et al. as modified by Ueta et al. discloses the electric equipment but does not disclose degreasing, a phosphoric acid treatment and a cleaning treatment prior to coating with a metal plated layer. Eisner teaches that commercial electroplating uses degreasing in column 1 lines 52-55 and adds "The alkaline cleaners were used alone or in combination with electrolytic cleaning ..." in column 1 lines 55-58. In column 1 lines 59-60, Eisner mentions organic solvents as being an alternative to alkaline cleaners and in column 1 lines 62-67 mentions using acid as a cleaner. Nomura et al. teaches using several types of acid including phosphoric acid for cleaning in the abstract of the reference. Since Nomura et al. and Eisner are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized phosphoric acid as a cleaner because Eisner does not specify any particular acid to be used. Since Nomura et al. as modified by Eisner and Sasaki et al. as modified by Ueta et al. are from the same field of

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endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized degreasing, a phosphoric acid treatment and a cleaning treatment to make an electric equipment housing in order to reduce the possibility of rust in that housing.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. as modified by Ueta et al. as applied to claim 1 above, and further in view of Fairbourn 6,294,072 B1 and Hocheng 6,315,885 B1. Sasaki et al. as modified by Ueta et al. discloses the electric equipment but does not disclose an ultrasonic cleaning treatment and a diluted sulfuric acid treatment. Fairbourn teaches in column 7 lines 16 ½ to 17 ½ agitating or stirring the electrolyte in a process for cleaning a metal product and teaches using sulfuric acid in column 9 lines 10 ½ to 18 ½. Hocheng teaches in the abstract that ultrasonic vibrating energy is a preferable way of vibrating or agitating a liquid for cleaning purposes. Since Hocheng and Fairbourn are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized ultrasonic means in the Fairbourn device in order to improve the cleaning. Since Fairbourn as modified by Hocheng and Sasaki et al. as modified by Ueta et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized ultrasonic cleaning and a diluted sulfuric acid treatment to make an electric equipment housing in order to reduce the possibility of rust in the housing. In regard to the ultrasonic treatment and diluted sulfuric acid treatment being performed sequentially, that is a method of making limitation which is improper in a product claim.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Ueta et al., Araga et al. and Kurosawa 6,211,584 B1. Sasaki et al. as modified by Ueta

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and Araga et al. discloses the electric equipment. Araga et al. teaches adding pigment and other powder or particles to an organic resin in column 5 lines 21-35 and teaches a thickness for the organic film in column 6 lines 38-47 and teaches a thickness for a paint in column 6 lines 48-51 but does not disclose any  $\text{mg}/\text{m}^2$  values. Kurosawa et al. teaches that epoxy paint can be made by adding pigment to resin in column 4 line 66 to column 5 line 6. Since Kurosawa et al. and Sasaki et al. as modified by Ueta et al. and Araga et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized an epoxy paint in the electric equipment device in order to eliminate a separate painting step. Merriam Webster's Collegiate Dictionary Tenth Edition copyright 1997 defines paint as "a mixture of a pigment and a suitable liquid to form a closely adherent coating when spread on a surface in a thin coat." By that definition, epoxy with an added pigment is a paint when the epoxy is liquefied. In regard to the limitation of  $50\text{-}200\text{ mg}/\text{m}^2$ , according to *in re Aller*, 105 USPQ 233 (CCPA) "More particularly where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation." Therefore the limitation of  $50\text{-}200\text{ mg}/\text{m}^2$  is believed to have been met by Sasaki et al. as modified by Ueta et al., Araga et al. and Kurosawa in combination with routine experimentation.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Ueta et al. as applied to claim 11 and further in view of Preece et al. 4,156,817 A and Japanese reference 06-172870. Sasaki et al. as modified by Ueta et al. discloses the electrical equipment but does not disclose a rotary electric machine having a mild steel yoke. Preece et al. teaches a cylindrical metal casing in column 1 lines 61-65. In column 7 line 15-22 Preece et al.

teaches making a yoke from mild steel for the purpose of making the yoke part of the magnetic structure of the starter motor. Since Preece et al. and Sasaki et al. as modified by Ueta et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized a mild steel yoke in a rotary electric machine to allow the yoke to be a part of the magnetic structure of the machine. Furthermore, mild steel is also strong enough to be used for an electric motor material, mild steel is inexpensive and mild steel is easily machined. Sasaki et al. as modified by Ueta et al. and Preece et al. does not disclose the type of mild steel to be used. Japanese reference '870 discloses mild steel having excellent workability as described in paragraphs 0003 and 0004. Since Preece et al. does not disclose the type of mild steel to be used, it would have been obvious at the time the invention was made for one of ordinary skill in the art to have gone to the mild steel art to select a good steel for use in a rotary motor. Japanese reference '870 discloses a mild steel usable for deep drawing without brittleness. Since Japanese reference '870 addresses a problem faced by a rotary motor designer, it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized steel composed of C equal to or less than 0.0025%, Mn from 0.2-1.5%, a negligible amount of Si and the residual substantially Fe.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. as modified by Ueta et al. and Araga et al. as applied to claim 3 above, and further in view of Nomura et al. and Eisner. Sasaki et al. as modified by Ueta et al. and Araga et al. discloses the electric equipment but does not disclose degreasing, a phosphoric acid treatment and a cleaning treatment prior to coating with a metal plated layer. Eisner teaches that commercial electroplating uses degreasing in column 1 lines 52-55 and adds "The alkaline cleaners were

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used alone or in combination with electrolytic cleaning ..." in column 1 lines 55-58. In column 1 lines 59-60, Eisner mentions organic solvents as being an alternative to alkaline cleaners and in column 1 lines 62-67 mentions using acid as a cleaner. Nomura et al. teaches using several types of acid including phosphoric acid for cleaning in the abstract of the reference. Since Nomura et al. and Eisner are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized phosphoric acid as a cleaner because Eisner does not specify any particular acid to be used. Since Nomura et al. as modified by Eisner and Sasaki et al. as modified by Ueta et al. and Araga et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized degreasing, a phosphoric acid treatment and a cleaning treatment to make an electric equipment housing in order to reduce the possibility of rust in that housing.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. as modified by Ueta et al. and Araga et al. as applied to claim 1 above, and further in view of Fairbourn and Hocheng. Sasaki et al. as modified by Ueta et al. and Araga et al. discloses the electric equipment but does not disclose an ultrasonic cleaning treatment and a diluted sulfuric acid treatment. Fairbourn teaches in column 7 lines 16 ½ to 17 ½ agitating or stirring the electrolyte in a process for cleaning a metal product and teaches using sulfuric acid in column 9 lines 10 ½ to 18 ½. Hocheng teaches in the abstract that ultrasonic vibrating energy is a preferable way of vibrating or agitating a liquid for cleaning purposes. Since Hocheng and Fairbourn are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized ultrasonic means in the

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Fairbourn device in order to improve the cleaning. Since Fairbourn as modified by Hocheng and Sasaki et al. as modified by Ueta et al. and Araga et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized ultrasonic cleaning and a diluted sulfuric acid treatment to make an electric equipment housing in order to reduce the possibility of rust in the housing. In regard to the ultrasonic treatment and diluted sulfuric acid treatment being performed sequentially, that is a method of making limitation which is improper in a product claim.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Ueta et al. and Araga et al. as applied to claim 3 and further in view of Kurosawa. Sasaki et al. as modified by Ueta and Araga et al. discloses the electric equipment. Araga et al. teaches adding pigment and other powder or particles to an organic resin in column 5 lines 21-35 and teaches a thickness for the organic film in column 6 lines 38-47 and teaches a thickness for a paint in column 6 lines 48-51 but does not disclose any  $\text{mg}/\text{m}^2$  values. Kurosawa et al. teaches that epoxy paint can be made by adding pigment to resin in column 4 line 66 to column 5 line 6. Since Kurosawa et al. and Sasaki et al. as modified by Ueta et al. and Araga et al. are from the same field of endeavor it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized an epoxy paint in the electric equipment device in order to eliminate a separate painting step. Merriam Webster's Collegiate Dictionary Tenth Edition copyright 1997 defines paint as "a mixture of a pigment and a suitable liquid to form a closely adherent coating when spread on a surface in a thin coat." By that definition, epoxy with pigment added is a paint when the epoxy is liquefied. In regard to the limitation of 50-200  $\text{mg}/\text{m}^2$ , according to *in re Aller*, 105 USPQ 233 (CCPA) "More particularly where the general

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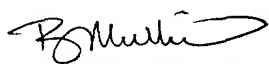
conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation." Therefore the limitation of 50-200 mg/m<sup>2</sup> is believed to have been met by Sasaki et al. as modified by Ueta et al., Araga et al. and Kurosawa in combination with routine experimentation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Judson H Jones whose telephone number is 703-308-0115. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Burt Mullins can be reached on 703-305-7063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
JHJ 12/01/2003

  
BURTON S. MULLINS  
PRIMARY EXAMINER